

MINUTES

**MONTANA SENATE
58th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON FISH AND GAME

Call to Order: By **CHAIRMAN MIKE SPRAGUE**, on January 28, 2003 at 3 P.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Mike Sprague, Chairman (R)
Sen. Dan McGee, Vice Chairman (R)
Sen. Keith Bales (R)
Sen. Gregory D. Barkus (R)
Sen. Ken (Kim) Hansen (D)
Sen. Dale Mahlum (R)
Sen. Trudi Schmidt (D)
Sen. Debbie Shea (D)
Sen. Bill Tash (R)
Sen. Joseph (Joe) Tropila (D)

Members Excused: None.

Members Absent: None.

Staff Present: Jane M. Hayden, Committee Secretary
Mary Vandenbosch, Legislative Branch

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: SJR 4 - 01/24/03

HEARING ON SENATE JOINT RESOLUTION 4

Sponsor: **SENATOR JIM ELLIOTT**

Proponents: **Geri Ball**, Nine-Mile Area, Huson, Montana
Patti Borneman, National Parks Conservation Association
James Cross, Member of Wolf Advisory Council under former Governor Marc Racicot

Janet Ellis, Montana Audubon
Chase Hibbard, Chairman of Wolf Advisory Council
under former Governor Marc Racicot
Marvin Mace, Himself
Representative Bruce Malcolm, House District 25
Bob Ream, Retired Professor of Wildlife Biology,
University of Montana, and a former State
Representative
Nancy Schlepp, Montana Farm Bureau
Chris Smith, Director of Fish, Wildlife and Parks
Department
Ralph Thisted, Nine Mile, Huson, Montana

Opponents: None.

Opening Statement by Sponsor:

SENATOR JIM ELLIOTT, Senate District 36, represents an area called the Nine-Mile in Missoula County where there have been wolf depredation of mostly sheep and llamas, but in one case a horse. The Northwest Wolf Management Area of which Nine-Mile is a part, is managed differently than the other wolf management areas in which a wolf cannot be taken if it is harassing or attacking livestock. "Taking" means harassing or killing of the wolf). This practice encourages and teaches bad and bold wolf behavior and is a monumental error by the U.S. Department of Fish and Wildlife. If the U.S. Department de-lists the wolf, it would allow the State of Montana to take over management of the species, therefore, Montana has developed a Draft Wolf Management Plan that hopefully will be adopted. **Chairman Chase Hibbard** is here to speak about the Plan. The Plan will allow Montana to manage the wolf as a big game animal and a fur bearer, and would allow taking (harassing and killing) of wolves. SJR 4 asks for a rapid de-listing process of the wolf as an Endangered Species; proposes a full range of management tools, both lethal and non-lethal; and asks that a Federal trust be set up (proposed by the Governors of Idaho, Montana and Wyoming) to provide funding for the wolf and grizzly bear management plans.

Proponents' Testimony:

REPRESENTATIVE BRUCE MALCOLM, House District 25, testified that he is a rancher and an outfitter at Emigrant in the Paradise Valley just north of Yellowstone National Park, and therefore, familiar with the wolf problem. **REPRESENTATIVE MALCOLM** was on former Governor Marc Racicot's Wolf Advisory Committee. The

original purpose of the Plan was to get the wolf de-listed because wolves are rapidly increasing. Montana needed 10 packs of wolves to allow them to be de-listed, but the Plan added a "safety net" of 15 packs to have a stable number. Presently, there are 17 packs and we still do not have them taken off the Endangered Species List. What is even scarier is there are several groups of four that will be packs by next spring. Yellowstone National Park is saturated with wolves and eventually they will migrate out of the Park. Wolves seem to like Montana the best. Bears seem to like Wyoming. Game animals are suffering and their populations are out of balance. As an outfitter, I am very aware of these trends. SJR 4 makes sense.

Former State **REPRESENTATIVE CHASE HIBBARD, House District 54**, and a cattle and sheep rancher, testified that SJR 4 is an excellent resolution. Farmers, ranchers, outfitters, and even some hunters are very upset over the mismanagement of the wolf populations. A two-year-old male wolf with a radio collar migrated 186 miles to the Hibbard ranch, jumped into a fenced enclosure of registered sheep and killed 18 lambs and one ewe in a single evening. The incident was reported and the United States Fish and Wildlife Service took care of it in a timely, professional manner.

Former State **REPRESENTATIVE HIBBARD** expressed caution not to act in a "knee-jerk" manner, and to research what will and will not solve the wolf problem. In 1995, a Wolf Management Plan was completed, but not implemented. In 2000, former Governor Marc Racicot appointed a twelve-member Wolf Advisory Council to take a hard look at the wolf situation, and advise the Fish, Wildlife and Parks Commission what to do when the wolf is inevitably de-listed. The Council consisted of conservation organization representatives, educators, hunters, livestock producers, outfitters, and Native Americans. The Council met for seven months and recommended 26 guiding principles in four areas. Those four areas are maintaining wildlife populations, public interest, public safety, and protecting the livestock industry. The Council's outcome was a collaborative and a consensus effort, and created a defensible product. FWP used the Council's product as the basis for their 117-page planning document that was presented in an Environmental Impact Statement (EIS) format consistent with Montana Environmental Protection Agency (MEPA) regulations.

This document then went through the EIS process that took it to the public. Twelve community work sessions were held all over Montana with roughly 800 attendees and 6,700 comments received, some comments were received in the mail from 49 states and eight foreign countries. A Draft Plan will come out this Spring for comment, with four to five alternatives in that Plan consistent with the EIS and MEPA process. Our Council's recommendations

would be one of the alternatives in the Plan, the other alternatives were formulated based upon what was heard during the process of public hearings.

Former State **REPRESENTATIVE CHASE HIBBARD** explained that for de-listing of the wolf to occur, two goals must be accomplished. The first goal is the existence of 30 breeding wolf pair in the three-state area of Idaho, Montana, and Wyoming for three consecutive years. This has been achieved. In fact, within the three states there are 43 breeding pair, equaling 667 wolves. Montana has 15 to 17 of those breeding pair, equaling 183 to 187 wolves. The numbers have been met for three consecutive years, therefore, the wolf is biologically recovered.

The second goal is to have plans in place in the three states of Idaho, Montana, and Wyoming, that ensure adequate mechanisms for regulation of the wolf. These mechanisms must secure that the wolf population would not go below the 30 breeding wolf pair mandated by the Endangered Species Act. If the population would drop below the 30 breeding pair then the wolf would be re-listed as an Endangered Species, and the first goal would have to be met again.

SJR 4 reflects the frustrations of the citizens of Montana. If de-listing does not occur by January 1, 2004, the wolf would be managed as a predator outside Yellowstone National Park. The second possibility is if the wolf is actually de-listed and the de-listing is challenged in court, it would be listed as a predator. The problem is that once the wolf is listed as a predator, it will never be de-listed as an Endangered Species. Presently, Wyoming is treating the wolf as a predator, and when it is determined to be a predator, predation laws require the systematic elimination of the species. The U.S. Fish and Wildlife Service, under the Endangered Species Act, would not de-list the wolf. If we follow the route that is being proposed by the Montana House of Representatives, de-listing would never occur because it calls for suing the U.S. Fish and Wildlife Service. The only way to obtain a remedy doing that is to change the Endangered Species Act, and in 15 years of watching proposed changes to the Act, none have succeeded.

The Wolf Advisory Council recommendations are the best way to proceed if the wolf is ever to be de-listed. The Management Plan is a good plan, it has the flexibility of managing a large population so there is an effect upon where wolves exist and where they do not exist. In the last Legislative Session, the law was changed so effective immediately upon de-listing, the wolf becomes a "Species in Need of Management," not a predator. The "Species in Need of Management" designation would allow the Fish, Wildlife, and Parks Commission to set hunting and trapping

seasons. This would allow livestock producers to take wolves threatening to kill their livestock. Presently, none of these actions can be taken. In closing, Montana has an excellent plan and should stay the course to get the wolf de-listed, then the State could handle the problem.

Ralph Thisted, Nine-Mile retired rancher, testified that some of the first wolves seen in Montana had a litter on his ranch, and they were not reintroduced wolves. **Mr. Thisted** stated that he was pleased to have wolves on his property because he is a conservationist. The reintroduction of the wolf has its place only if it does not damage livestock and game animal populations.

Nancy Schlepp, Montana Farm Bureau, testified that the Bureau commends **SENATOR JIM ELLIOTT** for a very well thought out piece of legislation in SJR 4.

Geri Ball, Nine-Mile area rancher, testified that wolves had killed four of her llamas and they are still having problems. Defenders of Wildlife had put in fences for them, but they had to put their animals away every night anyway. They own 12 acres, but had to keep the animals on an acre because they had to be put in and out. The wolves will stand out on the road and wait for the animals to be turned out. They can do nothing to scare them off and have had to stand by while the wolves ripped an animal apart. The wolves are not afraid of humans, for example, the wolves killed a calf elk in their front yard a month ago. Even though the dogs barked and the neighbors hollered, the wolves were not scared away. Wolves had gotten cattle across the road from them and horses, too. SJR 4 has to pass.

Bob Ream, Retired Professor of Wildlife Biology, University of Montana, Missoula, and former State Representative, testified that since Fall 1969, he has been researching the wolf population in Montana. **Professor Ream** collected wolf reports from outfitters, ranchers and sportsmen, and started to see a pattern along the Rocky Mountain Front and in the North Fork of the Flathead River, in particular. In 1973, he started the Wolf Project at the University of Montana. The first six years were spent looking for the "needle in the haystack," and in 1979, they captured and radio-collared the first lone female wolf. The Project followed her for two years and established that she was a lone female. In Winter 1981-82, a second female wolf moved in, presumably from Canada. At two years of age which is breeding age for wolves, they can travel long distances like the one radio-collared wolf who moved 550 miles north into Canada.

In 1974, **Professor Ream** was appointed to the Northern Rocky Mountain Wolf Recovery Team by the U.S. Fish and Wildlife Service

and served until it was disbanded in 1988. **Professor Ream** participated in drafting the Northern Rocky Mountain Wolf Recovery Plan in 1980, and the final version in 1987. The final version of this Plan provided the guidelines of ten breeding pair in each of the three recovery areas. Subsequently, the number was amended by the U.S. Fish and Wildlife Service to 30 breeding pair in the three-state area of Montana, Idaho, and Wyoming, and he agreed with that amendment.

Professor Bob Ream stated that in 1987, there was considerable debate within the Plan team about the issue of wolf reintroduction into Yellowstone National Park. There was a five-to-four vote, and he was one of the four votes against reintroduction. Not that it was not biologically feasible, but **{Tape: 1; Side: B}** by calling for reintroduction, it would raise the intensity of the debate tremendously--and it certainly did. Not only did the U.S. Fish and Wildlife Service reintroduce the wolf into Yellowstone National Park, but subsequently reintroduced an experimental wolf population into Idaho. The Northwest Montana wolf population has naturally been recovered from the original breeding wolves found near the North Fork of the Flathead River on Glacier National Park's west side.

Professor Ream agreed 100 percent with what former State **REPRESENTATIVE CHASE HIBBARD** said, and supported the addition of the Citizen Advisory Council as a good move. **Professor Ream** worked with the Council on the 1995 Draft Plan, and had carefully reviewed the current Plan and thought it was excellent. All along he had argued for three things: 1) the necessity to have a good control program in place when depredations occur; 2) requiring Federal funding for the two major predators listed as Endangered Species (the wolf and the grizzly bear) because it is a national policy and a national issue; and 3) when the wolf and the grizzly bear are de-listed, have them listed as game animals and managed by FWP. In the main study area in the North Fork of the Flathead River, the principal prey is white-tailed deer, followed by elk, moose and a few mule deer. Wolves are opportunists and will take the easiest prey, which is white-tailed deer in heavy snows, although elk are abundant. For three years, 30 deer, 30 elk, and 30 moose were radio-collared so the researchers could find out which predators killed which prey species. Wolves took mostly the white-tailed deer, but mountain lions with a ratio of almost two to one, were the main predators of all three species.

EXHIBIT (fis18a01)

Chris Smith, Director of Fish, Wildlife, and Parks Department, testified that FWP recommended one minor amendment to

SJR 4. The most serious debate by the scientists was whether or not the wolf has been recovered. The statistical number of 650 recorded wolves clearly verifies that the species has been recovered. The states of Idaho, Montana, and Wyoming along with many national environmental organizations are calling for de-listing of the wolf as soon as possible. To de-list the wolf from the Endangered Species Act involves a lengthy administrative process. By late Spring 2003, the FWP could probably initiate the actual de-listing process. Undoubtedly, the U.S. Fish and Wildlife Service will litigate against it. Montana's Fish, Wildlife, and Parks Commission is working to build a solid administrative record in a case that a court will support. The de-listing process will not be cheap, according to the Wolf Advisory Council it could exceed three quarters of a million dollars a year to manage wolves. Because of the exponential growth of the wolf population, the longer it takes to get de-listed, the higher the cost not only to FWP, but to the livestock producers who are suffering depredations.

Chris Smith stated that SJR 4 sends two important messages: 1) it tells Congress that Montana's Legislature believes that the wolf is recovered and we are ready to take the responsibility to manage them, and 2) calls upon the U.S. Congress to supply significant, reliable, national funding to support wolf management in Montana. The trust fund concept initially proposed by Wyoming was endorsed by Idaho and Montana. SJR 4 comes at a critical time and would greatly aid FWP in advancing de-listing and federal funding with Congress.

Opponents' Testimony: None given.

Informational Testimony:

EXHIBIT(fis18a02)

SENATOR JIM ELLIOTT read proponents testimony into the record. He read from Val and Earl Master's letter, ". . . after losing three llamas last winter (to wolves) we took the pragmatic approach to protect the rest of our animals and built a compound with electric protection. I still hear people say that a person should not have to do that. Well, throughout history, men have always had to protect their livestock, and if shooting wolves is not legal then other means must be used. . . . My concern with the shoot-on-sight approach is that we will quickly drive the wolf population below the minimum and the Federal Government will have the wolf "Endangered" and we will be back to where we are now. A better approach, I believe, is one that would allow the people most affected--the livestock growers--to use lethal

force when necessary, and for the Montana's Fish, Wildlife, and Parks Department to maintain the minimum wolf population through hunting and trapping. This is an emotional issue on both sides and any legislation should be written to represent a compromise between the opposing views. If the Legislature truly wants to represent the people, it will reject the "shoot-on-sight" bill."

EXHIBIT(fis18a03)

SENATOR JIM ELLIOTT read a second proponent's testimony into the record. He read part of a two-page letter from **Nancy Condit**, who manages a 500-acre ranch in the upper Nine-Mile area that raises high-end cutting horses. **Ms. Condit** wrote, "I am writing this in support of de-listing the wolf, placing the responsibility of managing these animals on the State. I also strongly oppose having the wolf treated as a predator. Two years ago we lost one of our horses--a healthy \$12,000 gelding to the wolves. Technically, FWP did not consider the horse a wolf kill because the horse impaled itself on the end of a four-inch irrigation wheel line. It was that trauma that killed our horse as the wolves pursued him. It was there that the wolves consumed about one third of his total body, we found him at sun up when we went out to feed. Fortunately, it was not one of our \$100,000 brood mares. Defenders of Wildlife were very cooperative in working with us (and they have worked with others in this area) and offered compensation, however, our insurance company covered it. . . . I was assured that the wolves hanging out near our horses, would not bother the adult horses and we were instructed to bring the young horses in close to the barn (which we did). . . . Had the State had jurisdiction over the wolves, I am confident that we could have hazed these wolves with rubber bullets and kept them out of the proximity of our horses. I do believe we could have prevented our horse from being killed. I am not a wolf hater despite what has happened to us, I am an advocate of the wolves--we need the wolves and the wolves need us. However, these wolves need to be managed concerning their numbers and their interaction with humans and livestock. Their lives will be saved if we citizens are allowed legally to haze them, and it will also help save our lives."

EXHIBIT(fis18a04)

James Cross submitted a letter, but did not testify.

Questions from Committee Members and Responses:

SENATOR BILL TASH asked former **REPRESENTATIVE CHASE HIBBARD** what the level of Federal funding would be and if it would offer compensation for depredation. **REPRESENTATIVE HIBBARD** responded that compensation has been a contentious issue. Our Committee

recommended that our plan not go forward unless there was adequate compensation, and that sportsmen's dollars would not be used for that purpose. Defenders of Wildlife have set up a compensation program that has worked for a number of years, but it is questionable whether they will continue with that program once de-listing occurs. Other sources of money need to be found both private and public, and perhaps a trust fund should be set up. Our Committee is directed to make recommendations to FWP to take a lead in establishing a fund with non-sportsmen's dollars for compensation. Management would cost about \$750,000 a year and some of that would be absorbed by FWP's budget. However, this problem came to us from the Federal Government's Endangered Species Act, and therefore, the majority of the responsibility for funding belongs with the Federal Government. Our Congressional sources are looking into setting up a trust fund along with other public and private sources.

SENATOR DALE MAHLUM asked **Geri Ball** if the wolves had ever harmed any children in the Nine-Mile area. **Ms. Ball** responded that no children had been harmed, but most of the outdoor dogs in her area had been killed even if they were part-wolf dogs. She stated that seven cow/calf pairs were killed by wolves this winter. The wolves are not afraid of even hazing with bullets. They went out the second time a wolf was on one of their animals, and they hollered (and did everything they could), and the wolf kept right on eating from the back of the animal on in. The wolf pups ate the horse's stomach out, her entrails, and her unborn foal. FWP set traps for this wolf, it came back, but they could not catch it.

SENATOR MIKE SPRAGUE asked **Chris Smith** how did we ever agree to not being able to haze these predators. A wolf learns just like a dog does about what is okay and what is not okay to do. **Mr. Smith** said it was a consequence of the Endangered Species Act because when the Act was written, they were probably not thinking of applying it to the wolf. The definition of not "taking" the wolf, includes not harassing it, killing it, or even disturbing its habitat. Because the Endangered Species designation is so strict, people cannot try to chase it away even if the wolf is killing an animal in their front yard. FWP has been working for two and one-half years to have these wolf populations down-listed from Endangered to Threatened. FWP met the requirements two years ago that enabled the wolf to be down-listed to a Threatened Species. If the Federal Government would make that change, not only could livestock producers harass the wolves, but FWP could issue permits to kill the wolves if need be. If we could get the down-listing out of the Federal bureaucracy in Washington, it

would at least give us some relief in northwestern Montana. The latest expected date is maybe February 2003. We were hoping to get it out sooner, so it would be in place before calving season.
{Tape: 2; Side: A}

SENATOR SPRAGUE asked **Chris Smith** if the endangered species concept is obsolete because of the possibility of using DNA to clone replacements. **Mr. Smith** stated that as a professional biologist, cloning is not a likely solution. There are some species that are truly endangered, for example, there are only a couple dozen whooping cranes, about 100 ferrets, and less than 20 California condors left in the world today. When the Endangered Species Act was written in 1973, it was written with lofty goals in mind. However, the devil is in the details, and the Act has become a very powerful tool for environmental interests who are intent on changing land-use patterns, forest-management patterns, and private property rights in the Federal courts, and that has created the mess we have today.

SENATOR MIKE SPRAGUE asked **Chris Smith** what is delaying the process. **Mr. Smith** responded that the only stumbling block is the Legislature. The U.S. Fish and Wildlife Service told FWP that the down-listing would happen in November 2002, now they are saying February 2003--it is all Washington, D.C. bureaucracy. Last week FWP was told by the Regional Director of the Fish and Wildlife Service in Denver that the proposed down-listing rule was on the desk of the Assistant Secretary for Fish, Wildlife, and Parks in the Department of Interior. The Assistant Secretary has to approve it before it can be published in the Federal Registry and become law. How we can get something off the desk of the Assistant Secretary is beyond us.

SENATOR TRUDI SCHMIDT asked **Chris Smith** if the third resolve is a good compromise, offering many options to people needing to harass the wolf. **Mr. Smith** responded that the Draft Wolf Management Plan developed based on the Council's recommendations does call for using a full range of management responses. Concerning non-lethal techniques, those that may be used are electric fences, guard dogs, radio-collar activated alarms, and rubber bullets. Clearly, in dealing with wolves, even more so than with bears, we would probably need to apply lethal techniques as well. Wolves are very clever and if they do not get shot, they will figure out very quickly the "name of the game."

SENATOR SCHMIDT asked **Mr. Smith** if the shoot-on-sight approach were used, would the wolf become endangered again. **Mr. Smith** stated that the Wolf Advisory Council recommendations addressed that point. By classifying wolves as either a game

animal or a fur bearer, wolves would be protected and managed just as mountain lions, black bears and other predators are. The law would allow an individual whose livestock was either being threatened or killed by wolves, to take (kill) those wolves. However, wolves in remote areas could not be subjected to the shoot-on-sight approach.

SENATOR DAN MCGEE asked **Chris Smith** what was the degree of urgency to de-list the wolf from a professional biological standpoint. **Mr. Smith** responded that from that standpoint it was important to de-list the wolf as quickly as we can and implement a management program that stabilizes the wolf population at approximately the current size. We are into the exponential growth phase for this population, and as long as the wolf was protected and the only control exercised was the isolated killings by the U.S. Fish and Wildlife Service, this growth would continue. The higher we get on that curve, the harder it was going to be to bring the population down to a manageable level where appropriate bounds exist between maintaining a healthy, viable wolf population, providing adequate prey for hunters, and limiting depredation and economic impact to landowners.

SENATOR MCGEE asked **Professor Bob Ream** for a rough estimate of the overall cost of the reintroduction of the wolf. **Professor Ream** responded that the Wolf Project started on a shoestring of donations, but when operating at its peak the cost was \$200,000 per year. The estimated of \$750,000 per year was reasonable considering the need for research and management over the large area of northwestern Montana. Passing SJR 4 is urgent to get it to Wyoming before March 6, 2003, when their Legislature adjourns. In 1995, the Plan advised down-listing the wolf to a Threatened Species. If the U.S. Fish and Wildlife Service will not de-list the wolf, then it is most urgent that they at least down-list it. **Professor Ream** urged an amendment be added to SJR 4 that states down-listing as the alternative, if de-listing were denied.

SENATOR MCGEE asked **SENATOR JIM ELLIOTT** if it were an omission that SJR 4 does not state--in urgent language--the transmittal of this resolution to Montana's Congressional delegation. **SENATOR ELLIOTT** answered that it was an omission and supported that amendment to be made to SJR 4. **SENATOR MCGEE** stated that we are in a serious situation here with people's livestock being eaten, but it just seems a matter of time before a child may be attacked. **SENATOR ELLIOTT** agreed to the seriousness of the situation and to the potential harm to humans.

SENATOR MIKE SPRAGUE asked former State **REPRESENTATIVE CHASE HIBBARD** if this is a Federal emergency, doesn't the resolution

sound too nice. Without sounding arrogant, the resolution needs to sound urgent and express our frustration with this situation. **REPRESENTATIVE HIBBARD** responded that he had no problem indicating urgency. However, the real urgency is getting Wyoming on board because Montana and Idaho have their plans in place which supply the tools needed for de-listing the wolf and having FWP take over the management of the wolf.

SENATOR BILL TASH asked **SENATOR JIM ELLIOTT** how would the Plan be bankrolled. **SENATOR ELLIOTT** answered that as far as the operation of the Program is concerned, the funds should come from the Federal Government in as much as this is a Federal Act to which we are responding. In March 2003, a well-to-do Arizona doctor who wants to put together a mutual-like insurance fund whose sole purpose would be reparation to ranchers who have lost livestock to predators, was putting on a conference that he would be attending. People are working on the reparation issue.

Closing Statement of Sponsor:

SENATOR JIM ELLIOTT stated that the wolves are breeding exponentially. As long as the Federal Government has the management of the wolf, there is going to be growth problems. The sooner that we can turn it over to the three states of Idaho, Montana, and Wyoming, the sooner we can control that population. When President Richard Nixon signed the Endangered Species Act it was initially to protect the American Eagle, wolves were not considered. Electric fences do not get the wolves' attention--harassment does, and killing does. The U.S. Fish and Wildlife Service have allowed the wolf to become accustomed to eating domestic animals and that is wrong. This has to stop, and de-listing the wolf would help us do that.

EXECUTIVE ACTION ON SENATE JOINT RESOLUTION 4

Motion/Vote: **SENATOR BILL TASH** moved that **SJR 4 BE AMENDED**. **Motion carried** unanimously. (This was the short amendment that the Fish, Wildlife, and Parks Commission had offered.)

Motion/Vote: **SENATOR DAN MCGEE** moved that **SJR 4 DO PASS AS AMENDED**. **Motion carried** unanimously. **SENATOR DAN MCGEE** moved SJR 4 as amended out of the Committee so the resolution language could be fixed on the Senate Floor, and then forwarded to the Montana Congressional Delegation.

ADJOURNMENT

Adjournment: 4:40 P.M.

SEN. MIKE SPRAGUE, Chairman

JANE HAYDEN, Secretary

MS/JH

EXHIBIT (fis18aad)